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Attorneys for Defendant,

VONS COMPANIES, INC. d/b/a

VONS GROCERY STORE

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RONALD JACKSON, individually,

Plaintiff,

vs.

VONS COMPANIES INC dba VONS
GROCERY STORE; AMIGO MOBILITY
INTERNATIONAL INC; ROE
MAINTENANCE COMPANY; DOES I
through XXX, inclusive and ROE BUSINESS
ENTITIES I through XXX, inclusive,

Defendants.

CASE NO.: 2:23-cv-00711-GMN-NJK

**STIPULATED DISCOVERY PLAN
AND SCHEDULING ORDER**

**SUBMITTED IN COMPLIANCE WITH
LR 26-1(B)**

Pursuant to Local Rules 26-1(b), the parties respectfully submit the following stipulated discovery plan and jointly request that the Court: 1) approve this plan, and 2) implement the plan as a scheduling order. The FRCP 26(f) conference was held on May 24, 2023, by MICHAEL T. NIXON, ESQ., for Plaintiff, RONALD JACKSON; DANIELLE A. KOLKOSKI, ESQ., for Defendant, VONS COMPANIES INC d/b/a VONS GROCERY STORE; and LOREN S. YOUNG, ESQ., for Defendant, AMIGO MOBILITY INTERNATIONAL INC. The parties propose the following discovery plan:

1 **1. Subjects on which discovery may be needed (Fed. R. Civ. P. 26(f)(3)(A):**

2 Discovery will be needed on the facts and circumstances surrounding the allegations in
3 the complaint, namely the issues of Defendants' liability and damages suffered by Plaintiff.

4 **2. Discovery Cut-Off Date (Fed. R. Civ. P. 26(f)(3)(A), LR 26-1(b)(1)):**

5 **a) Date of Defendant's answer or appearance (LR 26-1(b)(1)):**

6 Defendant filed its Notice of Removal on **May 5, 2023**. Defendant VONS COMPANIES
7 INC d/b/a VONS GROCERY STORE filed its Answer in the Eighth Judicial District Court for
8 the State of Nevada on April 7, 2023, and Defendant AMIGO MOBILITY INTERNATIONAL
9 INC filed its Answer on May 1, 2023.

10 **b) Statement of the reasons why longer or different time periods should apply to**
11 **the case (LR 26-1(a)):**

12 Not applicable.

13 **c) Proposed discovery cut-off (LR 26-1(b)(1)):**

14 Consistent with § 2(a) above, discovery shall close on: **Monday November 20, 2023**
15 (180 days from the date of Defendant's first appearance before this Court).

16 **3. Amendment of Pleadings and Adding Parties (LR 26-1(b)(2)):**

17 Motions to amend pleadings and add parties shall be filed no later than ninety (90)
18 days before the close of discovery: **Tuesday August 22, 2023**.

19 **4. Disclosures (Fed. R. Civ. P. 26(f)(3)(A); LR 26-1(b)(3)):**

20 **a) Initial disclosures:**

21 Initial disclosures shall occur on or before: **Wednesday June 7, 2023**.

22 **b) Initial expert disclosures:**

23 Pursuant to Fed. R. Civ. P. 26(a)(2)(D)(i), initial expert disclosures shall be due no later
24 than sixty (60) days before the close of discovery: **Thursday September 21, 2023**.

25 **c) Rebuttal expert disclosures:**

26 Pursuant to Fed. R. Civ. P. 26(a)(2)(D)(ii), rebuttal expert reports shall be due no later
27 than thirty-one (30) days before the close of discovery: **Friday October 20, 2023**.

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1 **5. Dispositive Motions (LR 26-1(b)(4)):**

2 The deadline for filing dispositive motions shall be thirty (30) days after the close of
3 discovery: **Wednesday December 20, 2023.**

4 **6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)):**

5 The joint pre-trial order shall be filed no later than thirty (30) days after the date set for
6 filing dispositive motions: **January 19, 2024.** The joint pre-trial order shall include the
7 disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections to them.

8 **7. Alternative Dispute Resolution (LR 26-1(b)(7)):**

9 Counsel for the parties certify that they met and conferred about the possibility of using
10 alternative dispute resolution including mediation, arbitration and/or an early neutral evaluation.
11 The parties agree that an early neutral evaluation would not be effective at this time as the
12 parties and their counsel believe that it is necessary to conduct discovery before attempting to
13 resolve this case. Counsel further agree that a settlement conference will be beneficial after
14 discovery is concluded. Finally, the parties and their counsel are not interested in submitting this
15 case to arbitration.

16 **8. Alternative Forms of Case Disposition (LR 26-1(b)(8)):**

17 The parties certify that they have considered consent to trial by a magistrate judge under
18 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order
19 2013-01) but do not consent to those forms of dispute resolution at this time.

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1 **9. Electronic Evidence (LR 26-1(b)(9)):**

2 The parties certify that they have discussed and intend to use electronic evidence at the
3 trial of this matter and will ensure that said evidence is in an electronic format compatible with
4 the Court's electronic jury evidence display system. At present, the parties have not agreed upon
5 any stipulations regarding use of electronic evidence but will address this issue again in the Pre-
6 Trial Order.

7
8 DATED this 7th day of June, 2023.

DATED this 7th day of June, 2023.

9 **BRANDON | SMERBER LAW FIRM**

LADAH LAW FIRM

10 /s/ *Danielle A. Kolkoski, Esq.*

/s/ *Michael T. Nixon, Esq.*

11 _____
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15 Las Vegas, Nevada 89101

Attorneys for Plaintiff,

16 *RONALD JACKSON*

18 DATED this 7th day of June, 2023

19 **LINCOLN GUSTAFSON & CERCOS, LLP.**

20 /s/ *Loren Young, Esq. /sgs*

21 _____
22 **LOREN S. YOUNG, ESQ.**

Nevada Bar No. 7567

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24 Las Vegas, Nevada 89128

Attorney for Co-Defendant,

25 *AMIGO MOBILITY INTERNATIONAL, INC.*

26 **ORDER**

27 **IT IS SO ORDERED.**

28 
UNITED STATES MAGISTRATE JUDGE

Date: June 12, 2023